



STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

February 26, 2010

LUCY BAXLEY, PRESIDENT
JAN COOK, ASSOCIATE COMMISSIONER
SUSAN D. PARKER, PhD, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.
SECRETARY

MEMORANDUM

TO: Commissioner Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

THRU: Judy McLean, Director *JMc*
Advisory Division

FROM: Aquilla Spivey, Manager *AS*
Consumer Services

SUBJECT: Monthly Commission Meeting

The following items will be presented to the Commission during the regular monthly meeting to be held on Tuesday March 2, 2010:

Monthly Activity Report of complaints, inquiries, meetings and field investigations.

Alabama Public Service Commission

Report Date: 2/26/2010

Consumer Service Section Monthly Activity Report Between 2/1/2010 And 2/26/2010

Utility Company Code	Needs Service	High Bills	Deposit	Service Problems	Payment Arrangement	Denied Toll	Slamming	Cramming	Billing Problems	Non-Pay Disconnect	900/Pay Per Call	No Jurisdiction	Other	Inquiries	Total
Alabama Power		78		2					9			2	2	40	133
Alagasco	4	1		1					17	1			14	37	75
Ardmore															
AT & T Southeast	2			46			1	1	17			2		11	80
Castleberry															
CenturyTel				2					1			1	2	2	8
Deltacom															
Farmers															
Floral									1						1
Frontier															
Graceba															
Gulf															
Hayneville															
Knology of Valley															
MCI															
Millry															
Mobile Gas Service												1		2	3
Mon-Cre															
Moundville															
National															
New Hope															
OTELCO														1	1
Pine Belt															
Ragland															
Roanoke															
Sprint									1						1
TDS Telecom				1											1
Union Springs															
Windstream															
Water Companies															
Local Resellers				2			1		2	1				2	8
Miscellaneous Inquiries															194
Misc Jurisdiction				2				13	3					3	21
900/Pay Per Call															
No Jurisdiction	1			7			1		2					11	22
Other															
Toll Resellers															
TOTALS	7	79		63			3	14	53	2		6	18	109	548

Field Investigations - 1

Meetings Held/Attended - 1



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February 19, 2010

MEMORANDUM

**TO: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker**

**FROM: Janice M. Hamilton, Director
Energy Division**

SUBJECT: Agenda - March 2, 2010 Commission Meeting

The Energy Division will present the following items at the March 2, 2010 Commission Meeting.

NATURAL GAS

ALABAMA GAS CORPORATION

Docket 18046 Division Report on Rate RSE as of January 31, 2010
and
18328

MOBILE GAS SERVICE CORPORATION

Docket 28101 Division Report on Rate RSE as of January 31, 2010

ELECTRICITY

ALABAMA POWER COMPANY

Docket 18117 Division Report on Rate RSE and Rate ECR as of January 31, 2010
and
18416;
18148

Docket U-4226; Petition Seeking Approval of Revisions to Certain Time of Use ("TOU")
24860 Rates

Recommendation: Approval

SUMMARY OF OTHER ENERGY FILING (S)

ALABAMA POWER COMPANY

Docket D-6545 Petition Seeking Approval of a New Contract for Electric Service with
Globe Metallurgical, Incorporated (Formerly ALAMET)

Status: Pursuant to Rate FCR, this Contract becomes approved 10 days
after the filing date, unless the Commission objects. Accordingly, the
Contract was deemed approved as of February 26, 2010.



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MEMORANDUM

To: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

Through: Janice M. Hamilton, Director
Energy Division

From: Robert E. Reed, Manager
Natural Gas Section

Subject: Division Report on Rate RSE for Alabama Gas Corporation as of January 31, 2010

As part of the Division's monitoring function, the staff has developed the return on average common equity for Alabama Gas Corporation for the twelve months ending January 31, 2010.

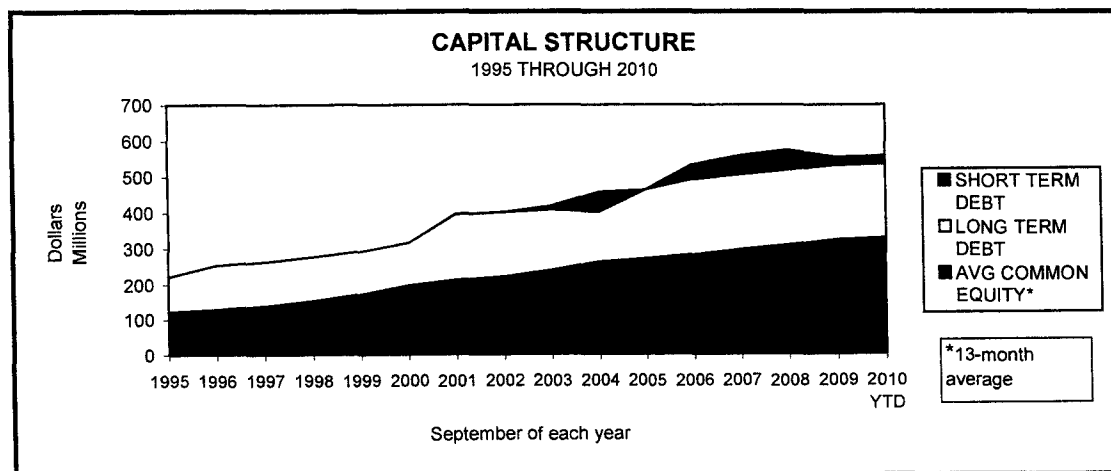
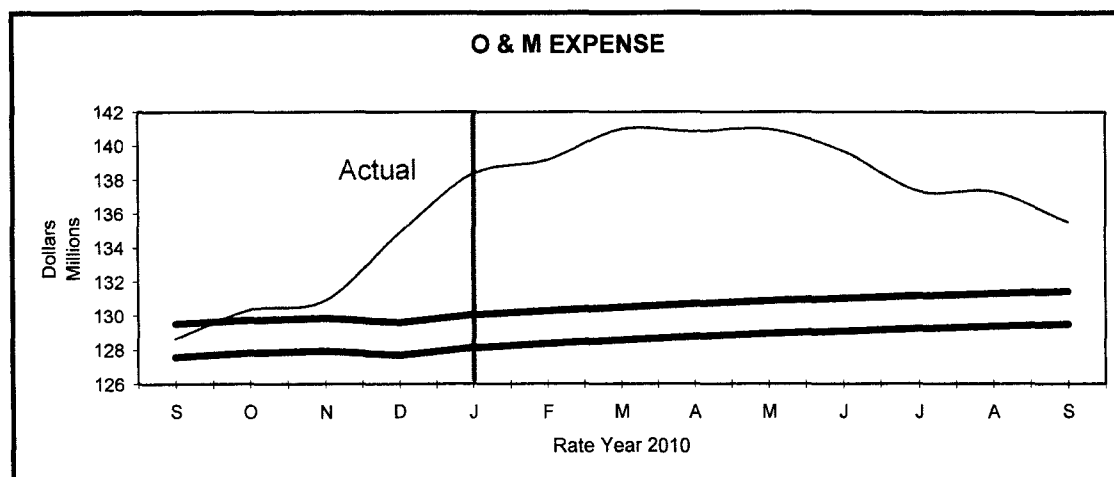
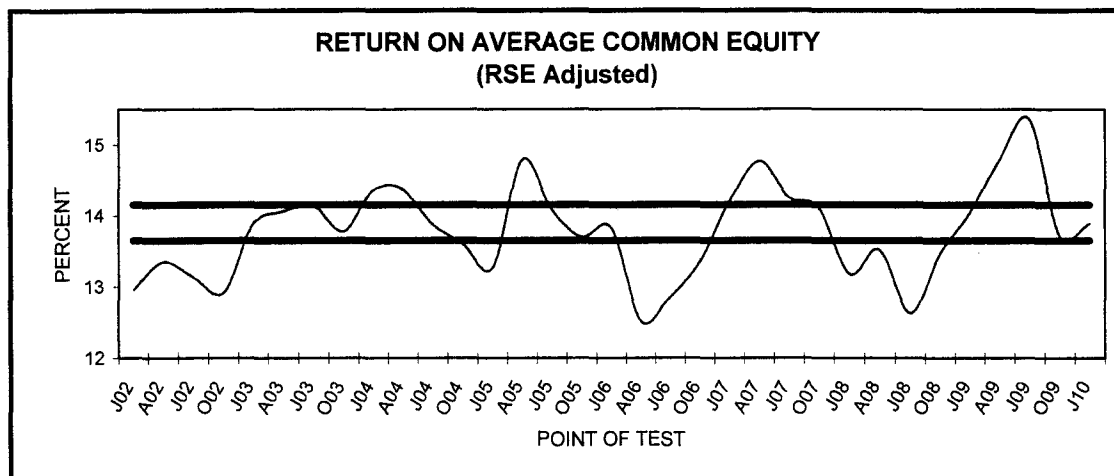
Based on preliminary figures, the return on average common equity for financial reporting purposes for the twelve months ending January 31, 2010, is 13.3 percent. When club dues, donations, and lobbying expenses are added, the RSE return is 13.4 percent. These figures reflect a reduction in rates of approximately \$2.8 million as a result of the operation of RSE.

Return on Equity at January 2010		
	Financial	<i>RSE</i>
Average Common Equity	\$326,764,492	<i>\$326,764,492</i>
Net Income	\$43,426,748	<i>\$43,426,748</i>
Net Expense Adjustment		<i>\$316,350</i>
RSE Net Income		<i>\$43,743,098</i>
RSE Return on Common Equity	13.29%	<i>13.39%</i>

Attachment:

ALABAMA GAS CORPORATION

January 2010





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MEMORANDUM

To: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

Through: Janice M. Hamilton, Director
Energy Division

From: Robert E. Reed, Manager
Natural Gas Section

Subject: Division Report on Rate RSE for Mobile Gas Service Corporation as of January 31, 2010

As part of the Division's monitoring function, the staff has developed the return on average common equity for Mobile Gas Service Corporation for the twelve months ending January 31, 2010.

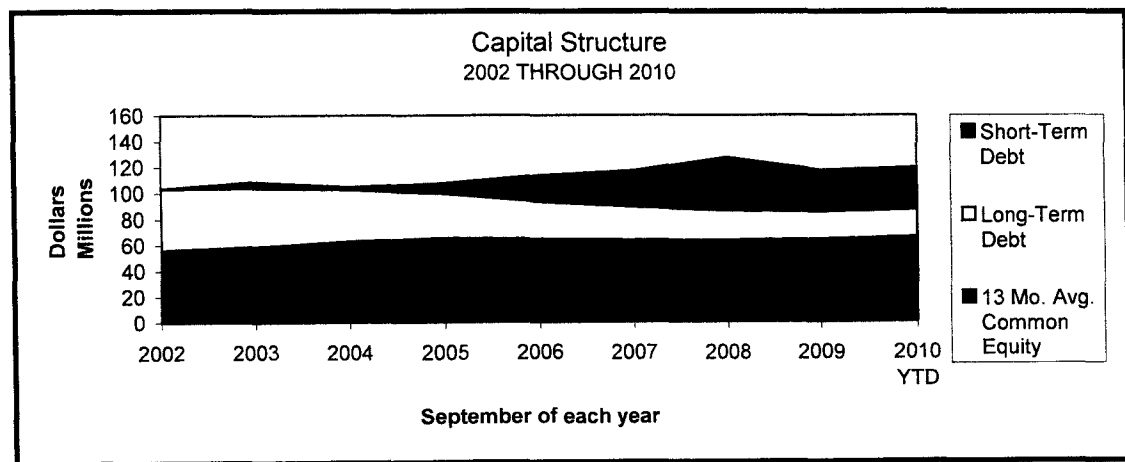
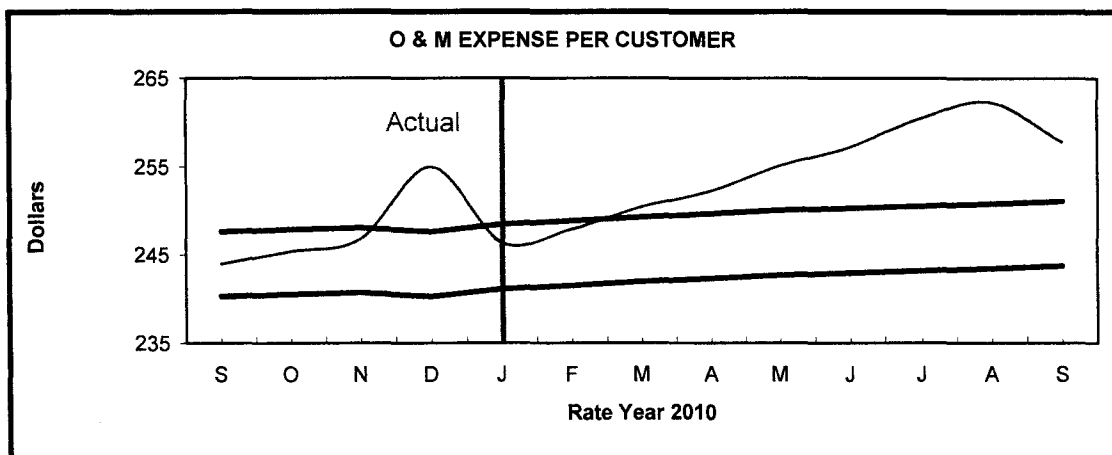
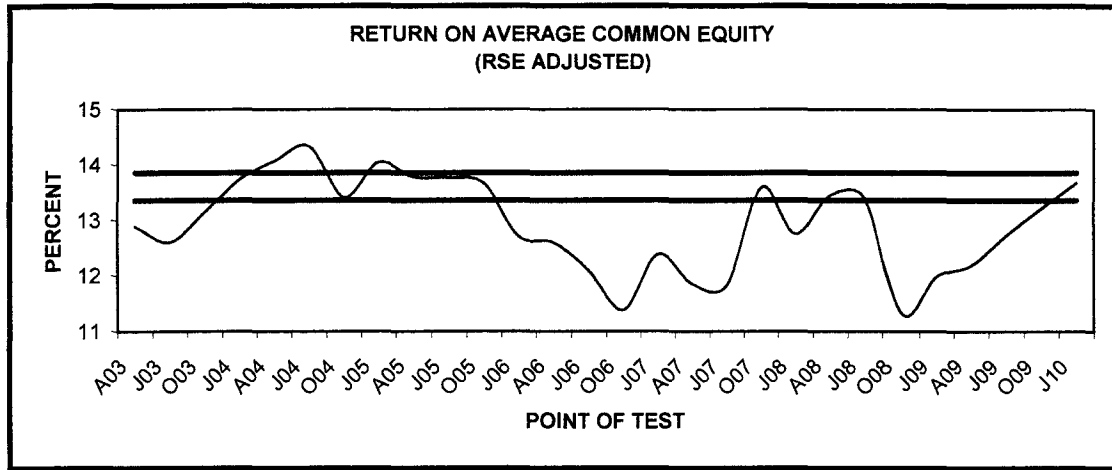
Based on preliminary figures, the return on average common equity for financial reporting purposes for the twelve months ending January 31, 2010, is 13.5 percent. When club dues, donations, and lobbying expenses are added, the RSE return is 13.7 percent.

Return on Equity at January 2010		
	Financial	RSE
Average Common Equity	\$65,764,958	\$65,764,958
Net Income	\$8,885,555	\$8,885,555
Net Expense Adjustment		\$105,639
RSE Net Income		\$8,991,194
RSE Return on Common Equity	13.51%	13.67%

Attachment:

MOBILE GAS SERVICE CORPORATION

January 2010





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MEMORANDUM

TO: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

THROUGH: Janice M. Hamilton, Director
Energy Division

FROM: Bernard W. Givan, Manager
Electricity Section

SUBJECT: Division Report on Rate RSE and Rate ECR for Alabama Power Company as of
January 31, 2010

The Energy Division performed the regular monthly examination of the books and records of Alabama Power Company. The financial highlights are presented in the tables below:

Rate RSE Forecast
12 Months Ending DECEMBER 31, 2010
13.92%

Rate ECR Summary	
Recovery for JANUARY 2010	Balance as of JANUARY 31, 2010
\$27,590,450 Under-Recovered	\$172,028,396 Over-Recovered

The attached report, prepared for review by the Commission, presents the Energy Division's computations and determinations of the December 2010 Retail Return on Average Common Equity. In addition, the current and projected status pertaining to the accumulated Over and Under Recovery for Rate ECR is presented.

ENERGY DIVISION

**Alabama Power Company
Forecast of Retail Return on Average Common Equity
For the 12 Months Ending December 31, 2010**

Common Equity as of January 31, 2010		\$5,187,253,525
Add Budgeted Net Income:		
February through December 2010	\$671,507,000	
Add Budgeted Capital Contributions:		
February through December 2010	\$5,412,000	
Add Other Adjustments:		
February through December 2010	<u>\$3,384,000</u>	\$680,303,000
Deduct Budgeted Stock Dividends:		
February through December 2010	<u>\$443,676,000</u>	<u>\$443,676,000</u>
Projected Common Equity as of December 31, 2010		\$5,423,880,525
Projected Average Common Equity For the 12 Months Ending December 31, 2010		\$5,322,625,692
Projected Retail Investment Separation Factor		92.04%
Projected Average Retail Common Equity For the 12 Months Ending December 31, 2010		\$4,898,944,687
Projected Retail Net Income For the 12 Months Ending December 31, 2010		\$682,067,798
Projected Retail Return On Average Common Equity For the 12 Months Ending December 31, 2010		13.92%

The Common Equity as of January 31, 2010 (Actual) was adjusted using net income, payment of Common Stock and Preferred Stock dividends, Capital Contributions, and Other Adjustments from the Company's 2010 budget. The average common equity is a 12-month average using actual and budgeted data. The average retail common equity (RCE) was calculated using an estimated retail separation factor of 92.04%. The retail net income (RNI) for average common equity was calculated by using actual data for the one month ended January 31, 2010, and then adding eleven months of budget data for February through December 2010. The Other Adjustments added to projected common equity is the result of the Company adopting FASB Statement 123 (R), which requires the reporting of stock option expenses.

The Forecast is subject to change due to uncertainties associated with weather, customer usage patterns, and economic conditions across the state.

ENERGY DIVISION

**Alabama Power Company
Forecast of Energy Cost Recovery
For the Period Ending December 31, 2010**

	Energy Cost (\$/MWH)		ECR Seasonal Factor (\$/MWH)	Over/(Under) Recovery	
	Month	12 Months Ended		Month (\$)	Cumulative (\$)
JAN 09 Act	32.138	33.133	37.866	17,588,864	(288,043,939)
FEB 09 Act	29.225	33.478	37.866	46,249,431	(241,794,508)
MAR 09 Act	23.725	33.803	37.866	52,791,864	(189,002,644)
APR 09 Act	27.981	34.265	37.866	30,703,964	(158,298,681)
MAY 09 Act	25.204	34.415	37.866	36,175,778	(122,122,904)
JUN 09 Act	34.087	34.193	40.242	20,010,617	(102,112,288)
JUL 09 Act	29.265	33.319	40.242	50,306,061	(51,806,227)
AUG 09 Act	31.816	32.718	40.242	40,669,269	(11,136,958)
SEP 09 Act	26.389	31.100	40.242	65,908,449	54,771,491
OCT 09 Act	21.259	29.801	35.490	61,913,104	116,684,595
NOV 09 Act	21.901	28.270	35.490	44,431,206	161,115,801
DEC 09 Act	24.622	27.542	35.490	38,503,045	199,618,846
JAN 10 Act	29.084	27.297	22.845	(27,590,450)	172,028,396
FEB 10 Bud	26.205	27.067	22.845	(4,627,525)	167,400,871
MAR 10 Bud	26.206	27.244	22.845	(16,747,780)	150,653,091
APR 10 Bud	29.027	27.327	22.845	(25,372,130)	125,280,961
MAY 10 Bud	28.788	27.614	22.845	(32,529,120)	92,751,841
JUN 10 Bud	26.416	26.942	25.904	(5,330,968)	87,420,873
JUL 10 Bud	27.893	26.805	25.904	(14,691,504)	72,729,369
AUG 10 Bud	28.969	26.558	25.904	(20,097,168)	52,632,201
SEP 10 Bud	26.582	26.574	25.904	9,385,432	62,017,633
OCT 10 Bud	27.257	27.018	22.845	(17,102,745)	44,914,888
NOV 10 Bud	27.128	27.397	22.845	(18,012,960)	26,901,928
DEC 10 Bud	25.236	27.444	22.845	(13,977,355)	12,924,573

The estimates used in the above table are subject to change due to uncertainties associated with weather, customer usage patterns, and economic conditions across the state.



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SECRETARY

MEMORANDUM

DATE: February 18, 2010

TO: Commissioner Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

FROM: Darrell A. Baker
Telecommunications Division

A handwritten signature in dark ink, appearing to read "DAB", is placed next to the name Darrell A. Baker.

SUBJECT: Agenda for March 2, 2010 Commission Meeting.

The following items will be presented to the Commission during the regular March 2, 2010 Commission Meeting.

INTERCONNECTION AGREEMENT (S)

Docket U-4955 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and COMSOFT CORPORATION --
Approval of the (Paging) Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and ComSoft Corporation pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

AMENDED INTERCONNECTION AGREEMENT (S)

Docket U-3991 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and NUVOX COMMUNICATIONS, INC. -- Approval of an Amendment to the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and NuVox Communications, Inc. d/b/a NuVox pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

- Docket U-4865 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and TW TELECOM OF ALABAMA LLC -- Approval of an Amendment to the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and tw telecom of alabama, llc pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

PETITION (S)

- Docket U-4605 CITY TELE COIN COMPANY, INC. -- Application and Tariff for amended authority to provide Inmate Phone Service in the State of Alabama.
Recommend Approval.

MISCELLANEOUS

- Docket 30934 ALL TELECOMMUNICATIONS COMPANIES -- Registration of Third-Party Providers for Telecommunications Billings. Third-Party Providers and Billing Aggregators request approval of their registration with the Commission for purposes of including their charges on the consumer bills of regulated telecommunications carriers.
Recommend Approval.

SUMMARY OF OTHER FILING (S)

- D-6538 BUDGET PREPAY, INC d/b/a BUDGET PHONE -- Introduces various services, revises rates, and makes textural changes to service offerings. Filed January 28, 2010, with a requested effective date of February 7, 2010.
- D-6539 MILLRY TELEPHONE COMPANY -- Detariffs several Business Service options no longer under PSC jurisdiction per the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Filed January 25, 2010, with a requested effective date of January 26, 2010.
- D-6540 KNOLOGY OF THE VALLEY, INC. d/b/a KNOLOGY -- Reduces Name Change Charge; increases Reconnect Charge for a soft disconnect for residential customers; and increases Late Payment Charge. Filed January 25, 2010, with a requested effective date of February 1, 2010.

- D-6541 TW TELECOM OF ALABAMA LLC -- Withdraws Interexchange Services tariff that is no longer subject to PSC jurisdiction in accordance with the provisions of the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Filed February 5, 2010, with a requested effective date of
- D-6542 TW TELECOM OF ALABAMA LLC -- Withdraws Local Exchange Services tariff that is no longer subject to PSC jurisdiction in accordance with the provisions of the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Filed February 5, 2010, with a requested effective date of
- D-6543 TW TELECOM OF ALABAMA LLC -- Withdraws Private Line Services tariff that is no longer subject to PSC jurisdiction in accordance with the provisions of the Communications Reform Act of 2005, Public Act 2009-461, and Docket 29733. Filed February 5, 2010, with a requested effective date of
- D-6544 CHARTER FIBERLINK-ALABAMA, LLC -- Updates Operator Service language and introduces Refer-A-Business Program for business customers. The Refer-A-Business Program allows existing customers to earn credits toward their accounts by referring new customers. Filed January 14, 2010 with a requested effective date of February 1, 2010.
- D-6546 ROANOKE TELEPHONE COMPANY d/b/a TEC -- Eliminates the requirement that the Company pay the initial \$8000 costs necessary for establishment of business service in accordance with 2009 legislative amendments to Alabama's Communications Reform Act. Filed January 14, 2010 with a requested effective date of January 15, 2010.
- D-6547 VALLEY TELEPHONE CO., LLC d/b/a KNOLOGY -- Reduces the change in telephone number charge, increases the late payment charge and increases the reconnect charge after a soft disconnect for residential customers. Filed January 25, 2010 with a requested effective date of February 1, 2010
- D-6548 NETWORK TELEPHONE CORPORATION -- Revises Access Service tariff. Filed February 16, 2010, with a requested effective March 10, 2010.
- D-6549 MILLRY COMMUNICATION, INC. d/b/a MILLRY LONG DISTANCE -
- Introduces the General Subscriber Services Tariff for the provision of local service under CLEC authority. Filed February 4, 2010, with a requested effective date of March 8, 2010.

D-6550 MILLRY TELEPHONE COMPANY -- Increases the rate for Local Directory Assistance Service to \$0.95. Filed February 4, 2010, with a requested effective date of April 1, 2010.



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SECRETARY

MEMORANDUM

DATE: February 22, 2010

TO: Commission President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker
Division Directors

FROM: Legal Division

SUBJECT: Agenda - March 2, 2010 Commission Meeting

The Legal Division will present the following at the March 2, 2010 Commission Meeting:

DOCKET C-15647 (M) - Petition of Eagleone, Inc., d/b/a Eagleone Logistics for reinstatement of Motor Carrier Certificate F3831 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 31333 (M) - Motor carrier application of AAA Moving & Warehousing Company, LLC for a certificate to transport household goods.

Recommend: Grant certificate and approval of tariff

DOCKET 31260 (M) - Motor Carrier Certificate 3956 issued to John Dustin Rhodes, d/b/a Sterling Limo-Cab ("Sterling") by Commission Order dated November 9, 2009. Said Order also required Sterling to file proof of liability insurance coverage, a tariff and obtain registration numbers within 90 days of the effective date of the Order. Sterling has failed to make the required filings.

Recommend: Cancellation on 30-days' notice.

DOCKET 15957

(G) - BellSouth Telecommunications, Inc., d/b/a AT&T Alabama ("AT&T"), seeks a temporary waiver from the provisions of the Commission's Telephone Rule T-9(B) concerning the distribution of telephone directories. The waiver requested would allow AT&T to implement a pilot program in the Mobile area whereby paper versions of the residential white page directory listings would be delivered to Mobile customers only upon request (at no charge). Mobile customers would, however, be delivered paper directories which would include the AT&T Real Yellow Pages, the business white page listings, the government listings, the customer guide information and other consumer oriented information required under the Commission's rules. The limited directories distributed in the Mobile area would also include the toll-free number by which a customer could request a free printed copy or CD-Rom of the residential white page listings. The toll-free number would be included in the customer call guide in the front section of the AT&T Real Yellow Pages directory as well as on a bound insert within the Real Yellow Pages. The company would also place a text box on the directory cover providing the toll-free number to be called to request a free, printed copy or CD-Rom of the white pages directory.

Recommend: Approval of the temporary waiver requested for AT&T's 2010 directories in the Mobile area provided the company will issue press releases generally explaining the trial process and identifying the number customers can call to get copies of the white page directory. It is further recommended that such information be included on a bill notice to customers in the Mobile area that includes the number to call to get white page directories and includes a web address for customers to obtain more information.

**DOCKET 25980;
29540**

(G) - Troy Cablevision, an APSC approved Eligible Telecommunications Carrier in Alabama, seeks to have the Commission certify to the FCC and USAC the company's eligibility to receive Federal High Cost funds through the Universal Service program for 2010.

Recommend: Issuance of the required correspondence to the FCC and USAC certifying Troy Cablevision to receive USF funds for high cost and low income purposes for 2010.

DOCKET 26941 (G) - Petition of dpi Teleconnect, LLC ("dpi") to have the Commission grant Eligible Telecommunications Carrier ("ETC") status for dpi's wireless telecommunications services so that the company will be eligible to receive Universal Service funds for its wireless operations.

Recommend: Dismissal of dpi's petition. The Commission has repeatedly recognized that the APSC's lack of jurisdiction over wireless telecommunications services precludes the Commission from granting ETC status to wireless operations.

DOCKET 27553 (G) - Petition of Bellerud Communications, LLC, d/b/a State Discount Telephone, LLC ("Bellerud") to amend its existing Certificate of Public Convenience and Necessity authorizing the provision of Long Distance Resale Service so that Bellerud may also provide facilities based and resold local exchange service.

Recommend: Grant

DOCKET 30939 (G) - Pursuant to Commission Order entered in this cause on February 12, 2009, Rare Transportation, LLC ("Rare") was issued a Motor Carrier Certificate of Public Convenience and Necessity authorizing operations as a common and contract carrier. Rare has now petitioned the Commission to convert the authority granted to charter bus authority only as the company will be exclusively engaged in charter operations.

Recommend: Issuance of an order converting the common and contract authority previously granted to Rare of Public Convenience and Necessity to Charter Bus authority.

DOCKET 31233 (G) - Application of Reachtel, LLC for approval of a certificate authorizing the provision of Resold and Facilities Based Local Exchange Telecommunications Service in the State of Alabama. A hearing was held without intervention. Staff from the Telecommunications Division participated in the proceeding, however.

Recommend: Grant



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SECRETARY

MEMORANDUM

DATE: February 25, 2010

TO: Commission President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker
Division Directors

FROM: Legal Division

SUBJECT: Supplemental Agenda (1) - March 2, 2010 Commission Meeting

The Legal Division will present the following at the March 2, 2010 Commission Meeting:

DOCKET C-15846 (M) - Petition of Dorman Trucking, Inc. for approval of cargo self-insurance.

Recommend: Approval

DOCKET C-15847 (M) - Petition of Zundel Wayne McKenzie, d/b/a ZMC Hauling for approval of cargo self-insurance.

Recommend: Approval

DOCKET 30701 (M) - Petition of John Fincher Enterprises, Inc. for cancellation of Motor Carrier Certificate F3949.

Recommend: Grant cancellation as requested.

**DOCKET 24422;
23314** (M) - Petition of WestPoint, Inc. for cancellation of Motor Carrier Certificate F363 (Docket 24422) and Motor Carrier Permit 278 (Docket 23314).

Recommend: Grant cancellations as requested.

DOCKET C-15641 (M) - Petition of Capstone Logistics, Inc. for reinstatement of Motor Carrier Certificate F3989 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement.

DOCKET 31216 (M) - Alabama Public Service Commission v. A-1 Brick, Sand & Mortar, Inc., *et al.* Motor Carrier Annual Report proceeding. Several carriers have now appeared and filed their Annual Reports for 2008 operations.

Recommend: Dismissal of carriers who have now appeared and presented their Annual Reports for 2008 operations from this proceeding and reinstatement of their Motor Carrier Certificates.

DOCKET 31316 (M) - Application of Intelepeer, Inc. for a Certificate of Public Convenience and Necessity to provide Intrastate Local Exchange and Interexchange Telecommunications services in Alabama. Hearing held. No intervention. Commission staff participated in the proceeding.

Recommend: Approval

DOCKET C-15794 (G) - Petition of Skelton Trucking LLC for reinstatement of Motor Carrier Certificate F1662 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 31302 (G) - Mitchell Guice v. Canaan Systems, Inc. In its Answer to Mr. Guice's Complaint, counsel for Canaan Systems pointed out that the allegations raised by Mr. Guice against Canaan are already the subject of a civil action in Cherokee County Circuit Court and it is thus improper for the Commission to attempt to exert jurisdiction.

Recommend: Dismissal of the Complaint without prejudice due to the fact that the primary issues raised as disputes in the Complaint are already under the jurisdiction and review of the Circuit Court of Cherokee County.